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Issued by the Interstate Commerce Commission

**ARRANGING TRANSPORTATION
FOR SMALL SHIPMENTS:
SHIPPER RIGHTS, REMEDIES,
AND ALTERNATIVES**

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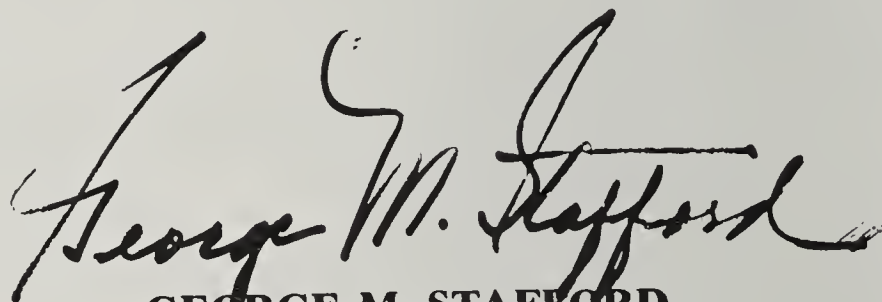
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As a part of its continuing effort to ensure the availability of efficient and prompt interstate transportation service to the public, the Interstate Commerce Commission has prepared this Advisory to aid shippers and receivers of freight in obtaining transportation service from motor common carriers regulated by the Commission. Although the carrier obligations described in the Advisory are applicable to all interstate movements of goods, we are aware of the particular importance of these obligations to shippers and receivers whose products must be transported in small quantities from or to persons in small or isolated communities. The Commission hopes that this Advisory will make both shippers and carriers aware of its intention to take direct action to guarantee that transportation service will be available for all types of shipments, regardless of their size, origin, or destination.


GEORGE M. STAFFORD
Chairman

November 1974

SOLVING YOUR SERVICE PROBLEM

Every year millions of shipments are transported by motor common carriers throughout the United States without difficulty. This Commission has, however, in recent years received a significant number of complaints concerning motor carriers' refusal to transport certain shipments or serve certain communities. While shippers occasionally have problems arranging for transportation, most such service complaints come either from those who ship goods in small quantities, those who ship certain types of traffic, or those who are located in small or isolated communities.

If your company or organization experiences problems with motor carrier refusals to provide service **you should be aware that you, as a shipper, have an enforceable right to service** from all motor common carriers authorized to transport your products in interstate or foreign commerce. In addition, to assure yourself the best possible service on a continuing basis, you should be sure that you are using the means of transportation that is best suited to your shipping needs.

OBTAINING ADEQUATE MOTOR CARRIER SERVICE

Most small shipments or shipments to or from isolated points are now transported by motor carriers, since these carriers not only provide a flexible service capable of handling shipments of all sizes, but also because many shippers and receivers are not located near rail facilities.

If you intend to ship goods by motor common carrier in interstate or foreign commerce, **the motor carrier you select must have a certificate of public convenience and necessity issued by this Commission authorizing the service you desire.** Often, a carrier will combine its operating authority with that of another carrier in an interchange arrangement to allow the movement of goods over the combined routes to a destination point not served by the originating carrier.

Your RIGHT to Motor Carrier Service

EVERY regulated motor common carrier has a duty under the Interstate Commerce Act to serve the public equally and fairly and to accept and carry ALL goods offered for transportation, within the limits of its operating authority.

As a condition for retaining its certificate, a motor common carrier bears an obligation of rendering CONTINUOUS AND ADEQUATE service to the public to the fullest extent permitted under its operating authority.

When May a Carrier Refuse to Provide Service?

As a result of the obligation to serve imposed by its operating authority, **a carrier may refuse to transport your shipments only if it lacks authority to perform the requested movement;** the size of shipment or its origin or destination do not justify a refusal to provide transportation.

In special situations, carriers are permitted to impose *temporary* suspensions of service ("embargoes") on certain traffic when they are unable to handle that traffic due to factors beyond their control, such as a lack of equipment or personnel. When a carrier has imposed an embargo on traffic to or from your location, it is required to notify our Bureau of Operations and indicate when the embargo will be lifted. The Bureau regularly investigates these embargoes to make certain that there are adequate grounds for restricting service.

If a carrier cannot provide prompt service following your request, it must notify you of the extent of the service delay anticipated and explain the reasons for its failure to give prompt service.

Enforcing Your Right to Service

If a carrier refuses to transport one of your shipments, **your quickest recourse is to contact the nearest field office of this Commission** at any one of the locations listed at the close of this Advisory.

On receiving your complaint, our field staff will take immediate action to see that carrier service is provided, often by assigning a staff member to investigate the service failure. The staff investigator will contact the carrier refusing service, determine if there was any justification for its refusal, and remind the carrier of its obligation to perform the services described in its certificate.

If your operations involve shipping to or from an isolated point, or if you are otherwise unsure as to which carriers have operating authority to carry your shipments, our field offices will be able to give you names of carriers known to be serving the involved locality.

Penalties for Failing to Provide Service

The Commission has substantial penalties at its disposal to back up its informal directives to provide service.

Carriers who refuse to perform the service required by their certificates are subject to prosecution, and may be fined as much as \$500 per day for each refusal.

We are also aware of carriers with poor service records and often ask our Bureau of Enforcement to intervene in proceedings before us to oppose grants of additional operating authority to these carriers.

Failure to provide adequate service ultimately can be grounds for a temporary suspension or a complete revocation of a carrier's operating certificate.

Loss or Damage to Your Shipment

While most small shipments are delivered in the same condition as picked up by the carrier, on occasion the necessity arises to file a loss or damage claim. This Commission has promulgated rules to assure the prompt processing of such claims. Carriers must acknowledge cargo claims within 30 days, and settle, deny or offer a compromise settlement within 120 days. Should a carrier fail to comply with these requirements, you may contact the nearest Commission office for assistance or write to the Section of Insurance, Bureau of Operations, Interstate Commerce Commission, Washington, DC 20423.

It must be emphasized, however, that the Commission has not been given the requisite authority to adjudicate disputed cargo claims. Until such time as appropriate legislation is enacted court action is the proper avenue of redress.

SPECIALIZED TRANSPORTATION SERVICES

Although most small shipments and movements to or from isolated points are transported by motor common carriers, shippers too often ignore other forms of transportation that specialize in handling certain types of small shipments. In particular shippers should consider these means of transportation as alternatives to motor common carriage:

LOCAL CARTAGE COMPANIES—For shipments within a municipality or within a commercial zone surrounding a municipality, motor carriers may transport goods without a certificate from the Commission. Many firms engage exclusively in local cartage and provide efficient service.

FREIGHT FORWARDERS—Specializing in small shipment service, freight forwarders consolidate small lots of goods into rail carload or motor truckload shipments and forward the goods to their destination using the services of other for-hire carriers. However, freight forwarder service is usually available only for goods moving between large metropolitan areas.

EXPRESS COMPANIES—Varying types of small shipment service to many locations are available from the two major express companies, REA Express and United Parcel Service, as well as from the package express service provided by many intercity bus companies and AMTRAK. However, there are size and weight limitations on the services offered by United Parcel Service, AMTRAK and bus companies. In addition, AMTRAK and most bus companies do not provide a pickup and delivery service.

FOURTH-CLASS MAIL (PARCEL POST)—Most points in the United States can be reached by fourth-class mail service. However, there are weight and size limitations on this service.

CONCLUSION

To assist you in solving your shipping problem, our field staff of transportation specialists has been organized to investigate any complaints you may have about the transportation service available to you. In addition, we have taken a number of steps on a broader scale to ensure the availability of service for small shipments and isolated localities, including:

—amending all motor carrier certificates to remove restrictions limiting carriers to handling shipments in truckload lots only.

—approving new rates on small shipment traffic to make these shipments more economically attractive to carriers.

—issuing certificates for limited time periods or subject to special service requirements to ensure continuation of adequate service for small shipments and isolated communities.

—proposing legislation to Congress to give the Commission authority to require motor carriers to enter into joint-rate and through-route arrangements.

—permitting carriers to pool their traffic, to allow one carrier to give concentrated service to a number of smaller communities.

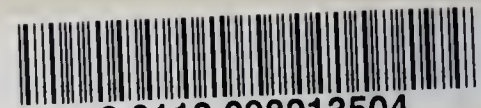
However, none of these actions alone can guarantee you better service; you as a shipper must protect your own interests by asserting your rights to adequate and continuous service and by notifying this Commission when you feel that your rights are not being observed.

With your cooperation and assistance, this Commission can take the action necessary to protect your RIGHT to be adequately served and at the same time improve service to all shippers, regardless of their place of business or the nature and size of their shipments.

INTERSTATE COMMERCE COMMISSION
FIELD OFFICE LOCATIONS AND TELEPHONE NUMBERS

<i>State</i>	<i>Address</i>	<i>Telephone</i>	<i>State</i>	<i>Address</i>	<i>Telephone</i>
Ala.	Birmingham 35203 2121 Bldg. Suite 1616 2121 Eighth Ave. North	205-325-3781	Ill.	Chicago 60604 Everett McKinley Dirksen Bldg. Room 1086	312-353-6124 or 312-353-6125
	Mobile, P.O. Box 2112 Commerce Building, Room 801 118 N. Royal Street	205-690-2868		Springfield 62705 P.O. Box 2418	217-525-4075
Alaska	Anchorage 99510 G-31 Federal Bldg. P.O. Box 1532	907-272-5350	Ind.	Fort Wayne 46802 345 West Wayne Street Room 204	219-422-6131
Ariz.	Phoenix 85025 3427 Federal Bldg. 230 North First Ave.	602-261-3834		Indianapolis 46204 Century Bldg. Eighth Floor 36 South Pennsylvania St.	317-633-7465
Ark.	Little Rock 72201 2519 Federal Bldg.	501-378-5821	Iowa	Des Moines 50309 875 Federal Bldg. 210 Walnut Street	515-284-4416
Calif.	Los Angeles 90012 7708 Federal Bldg. 300 North Los Angeles St.	213-688-4006	Kans.	Topeka 66603 234 Federal Bldg.	913-234-8661 Ext. 401
	San Francisco 94102 13001 Federal Bldg. 450 Golden Gate Ave. P. O. Box 36004	415-556-5515		Wichita 67202 501 Petroleum Bldg. 221 South Broadway	316-267-6311 Ext. 608
Colo.	Denver 80202 2022 Federal Bldg. 1961 Stout Street	303-837-3162	Ky.	Lexington 40505 222 Bakhaus Bldg., Room 324 1500 West Main Street	606-252-2312 2511 or 2770
Conn.	Hartford 06101 324 U.S. Post Office 135 High Street	203-244-2560		Louisville 40202 426 U.S. Post Office 601 West Broadway	502-582-5167
DC	Washington 20423 ICC Bldg. Bureau of Operations 317 Labor Bldg. 12th & Const. N.W.	202-343-4671 or 4672	La.	New Orleans 70113 T-9038 Federal Bldg. & U.S. Post Office 701 Loyola Avenue	504-589-6101 or 504-589-6102
Fla.	Jacksonville 32202 288 Federal Bldg. Bldg. Box 35008 400 West Bay Street	904-791-2551 or 904-791-2552	Maine	Portland 04112 305 U.S. Post Office & Courthouse 76 Pearl Street P.O. Box 167, P.S.S.	207-775-3131
	Miami 33166 Palm Coast II Bldg. Suite 208 5255 N.W. 87th Ave.	305-350-5551	Md.	Baltimore 21201 814-B Federal Bldg. Charles Center 31 Hopkins Plaza	301-962-2560
Ga.	Atlanta 30309 Room 300 1252 West Peachtree St. N.W.	404-526-5371, 5307, and 5455			
Idaho	Boise 83724 550 West Fort Street Box 07	208-342-2711 Ext. 2505			

<i>State</i>	<i>Address</i>	<i>Telephone</i>	<i>State</i>	<i>Address</i>	<i>Telephone</i>
Mass.	Boston 02114 150 Causeway St. Rm. 501	617-223-2372	NJ	Newark 07102 9 Clinton St. Rm. 618	201-645-3550
	Springfield 01103 338-342 Federal Bldg. 436 Dwight Street	413-781-2420		Trenton 08608 204 Carroll Bldg. 428 East State Street	609-599-3511
Mich.	Detroit 48226 1110 David Broderick Tower Bldg. 10 Witherill Street	313-226-4966	NY	Albany 12207 518 New Federal Bldg. Maiden Lane & Broadway	518-472-2273
	Lansing 48933 225 Federal Bldg. 325 West Allegan St.	517-372-1910 Ext. 568		Buffalo 14203 612 Federal Bldg. 111 West Huron St.	716-842-2008
Minn.	Minneapolis 55401 414 Federal Bldg. U.S. Courthouse 110 South Fourth St.	612-725-2326		New York 10007 26 Federal Plaza Room 1807	212-264-1072
Miss.	Jackson 39201 145 East Amite Bldg. Room 212	601-969-4557		Syracuse 13202 O'Donnell Bldg., Room 104 301 Erie Blvd., West	315-473-3440
Mo.	Kansas City 64106 600 Federal Bldg. 911 Walnut Street	816-374-5561	NC	Charlotte 28205 Rm. CC-516 Mart Office Bldg. 800 Briar Creek Rd.	704-372-0711 Ext. 451 or Ext. 452
	St. Louis 63101 210 North 12th Street Room 1465	314-622-4103		Raleigh 27611 624 Federal Bldg. 310 New Bern Ave. P.O. Box 26896	919-755-4650
Mont.	Billings 59101 222 U.S. Post Office	406-245-6711 Ext. 6261 or 6350	N. Dak.	Fargo 58102 P.O. Box 2340, Federal Bldg. & U.S. Post Office 657 Second Ave. North	701-237-5771 Ext. 5285
Nebr.	Lincoln 68508 320 Federal Bldg. & U.S. Courthouse 129 North Tenth St.	402-471-5088	Ohio	Cincinnati 45202 5514-B Federal Bldg. 550 Main Street	513-684-2975 or 513-684-2976
	Omaha 68102 Suite 620 Union Pacific Plaza Bldg. 110 N. 14th St.	402-221-4644		Cleveland 44199 181 Federal Bldg. 1240 East Ninth Street	216-522-4000 or 216-522-4001
Nev.	Carson City 89701 203 Federal Bldg. 705 North Plaza St.	702-882-2085		Columbus 43215 220 Federal Bldg. and U.S. Courthouse 85 Marconi Blvd.	614-469-5620
NH	Concord 03301 313 Federal Bldg. 55 Pleasant Street	603-224-1887		Toledo 43604 313 Federal Office Bldg. 234 Summit Street	419-259-7486 or 419-259-7487
N. Mex.	Albuquerque 87101 1106 Federal Office Bldg. 517 Gold Ave. S.W.	505-766-2241	Okla.	Oklahoma City 73102 240 Old Post Office and Courthouse 215 Northwest Third St.	405-231-4496



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State	Address	Telephone	State	Address	Telephone
Oreg.	Portland 97204 114 Pioneer Courthouse 555 S. W. Yamhill Street	503-221-3102	Tex.	Houston 77002 8610 Federal Bldg. & U.S. Courthouse 515 Rusk Ave.	713-226-4241
Pa.	Harrisburg 17108 278 Federal Bldg. 228 Walnut Street P.O. Box 869	717-782-4437		San Antonio 78205 301 Broadway Bldg. Room 206	512-225-5511 Ext. 4318
	Philadelphia 19102 William J. Green, Jr. Federal Bldg. Room 3238 600 Arch Street,	215-597-4449 or 215-597-4453	Utah	Salt Lake City 84111 5301 Federal Bldg. 125 South State Street	801-524-5680
	Pittsburgh, 15222 2111 Federal Building 1000 Liberty Avenue	412-644-2929	Vt.	Montpelier 05602 87 State Street, Room 303 P.O. Box 548	802-223-6001
	Scranton 18503 314 U.S. Post Office North Washington Ave. and Linden Street	717-344-7111 Ext. 324	Va.	Richmond 23240 10-502 Federal Bldg. 400 North Eighth Street	703-782-2541
RI	Providence 02903 187 Westminster Street Room 401	401-528-4306		Roanoke 24011 5104 F. B. Thomas Bldg. 215 Campbell Ave. S.W.	703-343-1581 Ext. 476 or 477
SC	Columbia 29201 Room 302, 1400 Building 1400 Pickens Street	803-765-5586	Wash.	Seattle 98104 6049 Federal Office Building 909 First Avenue	206-442-5421
S. Dak.	Pierre 57501 369 Federal Bldg.	605-224-2812	W. Va.	Charleston 25301 3108 Federal Bldg. 500 Quarrier Street	304-343-6181 Ext. 354 or 355
Tenn.	Memphis 38103 435 Federal Building 167 North Main St.	901-534-3437		Wheeling 26003 416 Old Post Office Bldg. 12th & Chapline Streets	304-232-6960
	Nashville 37203 1808 West End Bldg. Suite 803	615-749-5391	Wis.	Madison 53703 139 West Wilson Street Room 202	608-252-5218
Tex.	Amarillo 79101 1010 Herring Plaza 317 East Third St.	806-376-2138		Milwaukee 53203 135 West Wells Street Room 807	414-224-3183
mailing address	Herring Plaza Box H-4395		Wyo.	Casper 82601 1006 Federal Bldg. & Post Office 100 East B. Street	307-265-5550 Ext. 3243
	Dallas 75202 Room 13C12 1100 Commerce St.	214-749-3691			
	Fort Worth 76102 9A27 Fritz Garland Lanham Federal Bldg. 819 Taylor Street	817-334-2794			